

## COUNTY COMMISSION MEETING – April 20, 2010

### Consent Agenda: Land Use Authority Mtg. Items – April 13<sup>th</sup>, 2010

**CONDITIONAL USE PERMIT EXTENSION.** Review extension on a Tower for Verizon Wireless at Big Mountain communications facility in Section 4, T38S, R16W, on Forest Service property near Enterprise. Connie Misket/Technology Associates International Corporation, agent.

The planner reported that the Ms. Misket indicated that the Forest Service is still working on their application. They had to wait more than a full year for that agency to even look at it because they have been so busy. Pamela Gilbert with the Dixie National Forest is now processing the application, which may be another 4 to 6 months out.

**Motion was made by Commissioner Everett to recommend approval of the Verizon Wireless Tower at Big Mountain communication facility, subject to a copy of the Forest Service permits being submitted for files. Commissioner Cropper seconded the motion, with all six (6) commissioners voting aye.**

**CONDITIONAL USE PERMIT EXTENSION.** Review extension to run a new transmission line from Central to the Middleton Substation and install a temporary line from the Middleton Substation to St. George Substation, fencing and expansion on the existing facility and changes to the Black Gulch to Diamond Valley line. Rocky Mountain Power/Project Manager Paul Henry, applicant.

Mark Cox, Rocky Mountain Power representative, said the transmission line has been energized and all that is left on the Red Butte project is restoration and cleanup.

**Motion was made by Commissioner Cropper to recommend approval of the extension for the transmission line from Central to the Middleton Substation. Commissioner Ford seconded the motion, with all six (6) commissioners voting aye.**

Mr. Cox showed a map of the realignment of the Black Gulch to Diamond Valley, which was approved in October of 2009. The right-of-way agent indicated they are trying to align the poles so they are less intrusive. The new poles will be approximately 20' higher and the property owners were told the lines may have to go where existing lines are. This alignment was in place prior to the development of Paradise Estates Subdivision.

**Motion was made by Commissioner Cropper to recommend approval of the extension and revision on the Black Gulch to Diamond Valley line. Commissioner Christopher seconded the motion, with all six (6) commissioners voting aye.**

**CONDITIONAL USE PERMIT.** Request permission for the five (5) Zip Lines at Pah Tempe, within the OST 20 Zone, unincorporated area of Washington County... Ken Anderson, applicant

Commissioner Wilson declared a conflict of interest and stepped down from the podium.

The planner advised the commission on the items reviewed at staff meeting: 1) Revised Site Plan / 1 phase; 2) Engineers site review; 3) Geotechnical report; 4) Letter/agreement from power company/easement under their lines; 5) Fire Hydrant w/in 400' of Commercial Bldg & HV Fire District review; 6) Emergency hammer head turn around & Shuttle Van; 7) Sewer lateral/connection letter from ACSSD; 8) Letters of agreement on annexation (required from County Ordinance); 9) Grading/hillside ord. on ramp/walking area (no longer applicable); 10) Restrooms and Handicapped parking for upper facility; and 11) Address agreements with the WCWCD. All conditions were met or addressed adequately, which included the phone conversation with Hurricane City Manager Clark Fawcett, who indicated an e-mail on approval of location of a fire hydrant and addressing water issues.

**Motion was made by Commissioner Christopher to recommend approval of the five (5) Zip Lines at Pah Tempe within the OST-20 zone, subject to the hours of operation, meeting ADA requirements, with handicapped parking communication on upper facility, and based on facts & findings. Commissioner Ford seconded the motion, with all six (6) commissioners voting aye.**

#### **Regular Agenda: Land Use Authority Items – April 13<sup>th</sup>, 2010**

**Item # 6. ORDINANCE AMENDMENT** Consider approval on amendment to the Washington County Land Use (Zoning) Ordinance, Title 10, Chapter 25, Wind Energy Systems and Facilities. County initiated.

The planner said the commission should recall reviews on this ordinance at work meetings held throughout January, February, and March. Suggested corrections have been made to the Iron County Ordinance and consideration of the Washington County Commission concerns that there will be a proliferation of individual units for personal use. Mr. Gerald Sieren provided a copy of his recommendations for the County to adopt and the Commission reviewed each item, deleting several. This has been combined with the revised version of what was taken from the Iron County Ordinance on small wind energy systems. The commission reviewed the revised documentation and indicated they were ready to adopt the wind energy ordinance. The chairman made a statement at the October 9, 2009 meeting announcing the intent to implement the ordinance, which allows for a six (6) month moratorium on Wind Energy. The review period ended on April 9, 2010. The commission agreed at the previous meeting that with changes made this could go directly to the advertising process for a hearing on April 13th. This was properly advertised.

#### **Facts/findings:**

- **The ordinance is needed to meet a demand for the construction of alternate energy systems**
- **The commission tried to be reasonable while protecting the health, safety and welfare of the citizens of the county**

- **The commission reviewed ordinances of other communities, including the states and did the research necessary for such an ordinance**

**Motion was made by Commissioner Everett to recommend adoption of the Land Use Ordinance pertaining to Wind Energy Systems and Facilities, based on the facts and findings, as amended. Commissioner Christopher seconded the motion, with all six (6) commissioners voting aye.**